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News Release

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Hearings Officer rules in County's favor on TVR contested case hearing

LĪHU'E – On Thursday, a Hearings Officer appointed by the Kauai Planning Commission issued a recommended ruling in favor of the Planning Department's decision to revoke a Transient Vacation Rental (TVR) permit for a Seacliff Plantation condominium in Kīlauea.

In December of 2011, the Kauai County Planning Department revoked the property's Provisional Nonconforming Use Certificate due to a lack of proper permits to convert a guest house to a single-family dwelling unit, as required by County Ordinance (Ord. 904).

The property owners requested a review of the revocation at a Planning Commission Hearing that occurred on November 24, 2015.

Based on the facts of the case, the Hearings Officer concluded the property's guest house was an illegal single-family TVR and found in favor of the Planning Department's action to shut down the TVR. Further, the Hearings Officer is recommending to the Planning Commission that the property owner pay a fine of \$25,000.

The Kauai Planning Commission will take action on the Hearings Officer's proposed ruling at an upcoming meeting.

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